

REMARKS/ARGUMENTS

Amendments

1. Claim 1 has been amended to overcome the objections enumerated by the Examiner.
2. Claims 2-17 have been canceled.
3. Claim 18 has been amended to include the subject matter which was previously set forth in claim 19.
4. Claims 19 and 20 have been canceled.
5. New Claims 21-24 have been added to the application. These amendments add no new subject matter to the application and acceptance of these claims is respectfully requested.

Claim Objections

6. The Examiner has objected to claim 1 and required the deletion of the phrase "in use". Claim 1 has been amended to remove this phrase.
7. The Examiner has objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner has objected to the term "piano hinge". While the Applicant believes that this feature is shown in the drawings which were submitted with the application, claim 1 has been amended to remove this phrase and claims 13 and 20 have been canceled from the application.

Double Patenting

8. The Examiner has provisionally rejected claims 2-17 of the application as filed in view of the claims in co-pending Application No. 10/050,400, under both a statutory and a non-statutory double patenting rejection over this application as well as an obviousness type double patenting rejection.
9. Claims 2-17 of the present invention have been canceled from the present application, and the rejection of these now canceled claims is no longer a pertinent issue to be discussed.
10. In as much as these previously rejected claims have been canceled from the application, the discussion of the rejection of these claims need not take place.

11. Claims 1, 18-20 have been rejected under obviousness type double patenting in view of the claims of the previously issued and commonly owned U.S. Pat. No. 6,368,565. To overcome this rejection please find attached to this response a terminal disclaimer disclaiming any portion of patent term which would extend beyond the termination date of U.S. Pat. No. 6,368,565.

Claim Rejections - 35 USC § 102

12. The Examiner has rejected claim 18 under §102(b) as being anticipated by Wittrock, et al., USPN 5,482,067.

13. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d. 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 828 F.2d 1226,1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP § 2131.

14. Although Applicant disagrees with the Examiner’s rejection, claim 18 has been amended to include the limitations of claims 19, namely that the double hinge comprising a first generally horizontally oriented hinge dividing one of said end walls or one of said side walls into upper and lower halves and a second hinge connecting the upper half of said wall to the top cover so as configured to permit said top cover to lay flat. The reference cited by the Examiner does not teach this feature. Therefore Applicant respectfully submits that this claim as amended is allowable over the prior art.

New Claims 21-24

15. Applicant has added new claims 21-24. These new claims are merely reworkings of the other claims in the application, contain no new subject matter, and are supported by the disclosure found in paragraphs 38-44 of the application as filed. Acceptance of these claims as filed is respectfully requested.

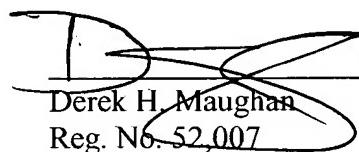
CONCLUSION

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this 27th day of July 2005.

Very respectfully,

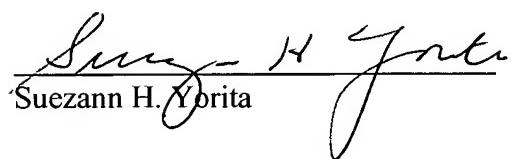

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service on the below date as first class mail in an envelope addressed to:

Mail Stop Amendment
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PO Box 1450
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DATE: July 27, 2005


Suezann H. Yorita